

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars:

Objections to the specification

The specification is presently objected to for certain informalities. In particular, the examiner notes that line 12 of claim 1, "the central signal" should be "the central channel signal." Claim 1 has been amended according to the examiners suggestion, and therefore withdrawal of the objection is requested.

In the claims

Claim 1 is amended to clarify that the coder/decoder (CODEC) is a CODEC with control functions. Support for this amendment is found at least at lines 16-17 of page 3 of the original specification, as well as elsewhere in the original specification.

Claim 1 is also amended to point out that the first filter is a series-parallel connected RLC circuit, the second filter is a parallel connected LC circuit, and the third filter is a series-parallel connected RLC circuit. Support for this amendment is found in Fig. 2 of the original specification, which illustrates each of the first filter 30, the second filter 40, and the third filter 50.

Claim 2 is amended to point out that the microphone bias circuit is a parallel connected RC circuit. Support for this amendment is found in Fig. 2 of the original specification, which illustrates the microphone bias circuit 70.

Rejection of claims 1 and 6-8 under 35 U.S.C. § 103(a)

Claims 1 and 6-8 presently stand rejected as being unpatentable over Rybicki et al. (U.S. 6,885,900). This rejection is respectfully traversed for at least the following reasons.

Rybicki fails to disclose or suggest each and every element set forth in amended claim 1, and therefore fails to form a prima facie case of obviousness of claim 1.

Rybicki does not disclose or suggest the claimed first, second, and third filters, wherein the first filter is a series-parallel connected RLC circuit, the second filter is a parallel connected LC circuit, and the third filter is a series-parallel connected RLC circuit.

On the contrary, operations of Rybicki are based on digitized audio data produced by Rybicki's controller 12 and stored in register 22, and thus Rybicki does not disclose or suggest any of the claimed filter circuits.

The single series-connected capacitors shown inline in the interconnections to Rybicki's microphone are not filters, and more particularly cannot be construed as the claimed first, second, and third filters.

Applicant further notes that, according to the presently claimed invention, a CODEC is integrated with controller functions. In particular, the CODEC of the presently claimed invention sends an electrical control signal, while according to Rybicki, a "controller communicates digitized audio data 36 with the audio codec 14," where "the digitized audio data 36 includes audio data and control data." (*Rybicki*; col. 2, lines 35-37).

Thus, Rybicki employs an entirely different control function than the present invention. There is no teaching or suggestion that Rybicki's CODEC has control functions or generates a control signal.

Since the operations of Rybicki are based on the digitized audio data produced by the controller 12 and stored in the register 22, Rybicki cannot render obvious the present invention.

Accordingly, since Rybicki fails to disclose or suggest each and every element of claim 1 of the present application, claim 1, along with claims 2-10 which depend from claim 1, are allowable, and withdrawal of the rejection is requested.

Rejection of claims 2-5, 9, and 10 under 35 U.S.C. § 103(a)

Claims 2-5, 9, and 10 presently stand rejected as being unpatentable over Rybicki in view of Papadopoulos (U.S. 6,266,424). This rejection is respectfully traversed for at least the following reasons.

Applicant notes that claims 2-5, 9, and 10 depend from claim 1. It is respectfully submitted that Papadopoulous fails to supplement the deficiencies of Rybicki with respect to the elements required by claim 1 but lacking from Rybicki, as discussed above. Accordingly, the combination of Rybicki and Papadopoulous does not render claim 1 obvious, and therefore these references cannot form a prima facie case of obviousness of claims 2-5, 9, and 10.

In particular, it is respectfully submitted that Papadopoulous does not disclose or suggest the claimed first, second, and third filters of claim 1. Further, Papadopoulous does not disclose or suggest the claimed microphone bias circuit of claim 2 since Papadopoulous does not disclose or suggest a microphone bias circuit that is a parallel connected RC circuit.

Therefore, it is respectfully submitted that Rybicki and Papadopoulous fail to form a prima facie case of obviousness of claims 2-5, 9, and 10, and therefore these claims are allowable over the cited references. Accordingly, withdrawal of the rejection is requested.

Conclusion

In view of the amendments to the claims, and in further view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is requested that claims 1-10 be allowed and the application be passed to issue.


Application No.: 10/638422
Responsive to Office Action of May 3, 2007
Examiner: D. J. Suthers
Art Unit: 2615

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicant's attorney, the Examiner is invited to contact the undersigned at the numbers shown.

BACON & THOMAS, PLLC
625 Slaters Lane, Fourth Floor
Alexandria, Virginia 22314-1176
Phone: (703) 683-0500

Date: September 4, 2007

Respectfully submitted,


JOHN R. SCHAEFFER
Attorney for Applicant
Registration No. 47,921